

Order

**Michigan Supreme Court
Lansing, Michigan**

March 5, 2012

Robert P. Young, Jr.,
Chief Justice

144425

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 144425
COA: 306649
Oakland CC: 2011-237089-FH

JOHN MATTHEW BURGHARDT,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 21, 2011 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 5, 2012

Corbin R. Davis

Clerk